

A31425 PCT/USA
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shinji Kamei

Serial No. : 08/973,564 Examiner: Unassigned

Filed : December 5, 1997 Group Art Unit: Unassigned

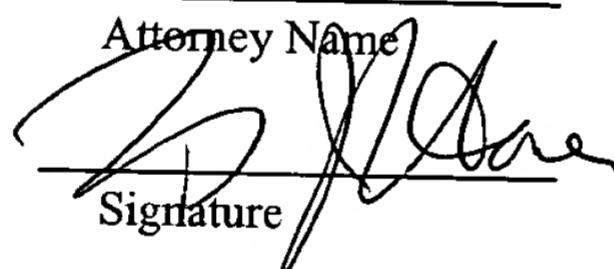
For : SEMICONDUCTOR DEVICE, IC CARD
UTILIZING SAME AND COMMUNICATION SYSTEM

RENEWED PETITION UNDER 37 C.F.R. 1.47(b)

I hereby certify that this paper is being deposited with the United States
Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231

March 10, 1999

Date of Deposit

Francis J. Hone
Attorney Name

Signature

18,662

PTO Registration No.

March 10, 1999

Date of Signature

Assistant Commissioner for Patents
ATTN.: PCT Legal Office
Washington, D.C. 20231

Sir:

The Decision on Petition under 37 C.F.R. 1.47(b) mailed January 15, 1999 in
connection with the above-identified application states that further evidence is required to

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establish that either or both of the Assignments submitted with the original Petition in fact constitutes an assignment of the subject matter of the instant application to Rohm Co. Ltd.

Submitted herewith is the second Supplemental Declaration of Haruo Hagimori in support of Petition under 37 C.F.R. 1.47(b) appending copies and English translations of documents establishing that the Assignments submitted with the original Petition relate to the Japanese applications upon which the present application is based and include the subject matter of the present application. As described in Mr. Hagimori's Declaration, the Assignment documents submitted with the original Petition relate to two invention disclosures having Company Receipt numbers 95-00287 and 95-00749 which are stated at the top of the Assignment document and the titles referred to in those Assignment documents are those used by the inventor when submitting his invention disclosures. When the Japanese patent applications for those inventions were prepared and filed, the Japanese attorney provided a more comprehensive title for each of the inventions and when the PCT application based on both Japanese applications was prepared and filed, the titles of the priority applications were combined to form the PCT title which is the same as that used in the United States application.

The documents appended to the Hagimori affidavit establish that the Assignment submitted with the original Petition having Company Receipt number 95-00749 relates

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to the invention which is the subject of Japanese Application No. 08-010463, filed January 24, 1996, and that the Assignment submitted with the original Petition having Company Receipt number 95-00287 relates to the invention which is the subject of Japanese Application No. 7-150605. Those are the Japanese applications relied upon for priority in this application.

Thus, the Declaration and appended documentation clearly establish that the Assignments submitted with the original Petition in fact establish that the subject of the present application was assigned to Rohm Co., Ltd. Accordingly, we respectfully request that the Petition now be granted.

Date: March 10, 1999

Respectfully submitted,



Francis J. Hone
Patent Office Reg. No. 18,662

Attorney for Applicant
(212) 408-2534

Attachments

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shinji Kamei
Serial No. : 08/973,564 Examiner: Unassigned
Filed : December 5, 1997 Group Art Unit: Unassigned
For : SEMICONDUCTOR DEVICE, IC CARD UTILIZING
THE SAME AND COMMUNICATION SYSTEM

SECOND SUPPLEMENTAL DECLARATION OF HARUO HAGIMORI
IN SUPPORT OF PETITION UNDER 37. C.F.R. 1.47(b)

This Declaration further supplements my Declarations signed February 10, 1998 and November 27, 1998 submitting facts in support of the filing by the Assignee, Rohm Co., Ltd., on behalf of the omitted inventor, Mr. Shinji Kamei, in connection with the above-identified application.

The Decision on Petition under 37 C.F.R 1.47(b) mailed January 15, 1999 states that the papers filed March 3, 1998 do not clearly establish that Mr. Kamei assigned the instant application to the Assignee, Rohm Co. Ltd., since it is not clear either of the Assignments submitted by the Petitioner with those papers is directed to the instant application, because neither of them identifies the application by United States application number or International application number or date of execution.

The two Assignment documents submitted with my Declaration of February 10, 1998 refer to two inventions having the Company Receipt numbers 95-00287 and 95-00749, respectively, which are indicated at the top of the Assignment documents. The titles referred to in the Assignment documents are those used by the inventor when submitting the invention disclosure. When the Japanese Patent Applications were prepared and filed, the Japanese attorney provided a more comprehensive title for each of

the inventions, i.e. "Semiconductor Device and IC Card Apparatus Using the Same" for the application relating to Company Receipt number 95-00749 and "Non-Contact Type IC Card and Information Communication System Using the Same" for the application relating to Company Receipt number 95-00287. When the PCT application based on both Japanese applications was prepared and filed, the titles of the priority applications were combined to "Semi-Conductor Device, IC Card Utilizing the Same and Communication System" which is the same as that of the United States Application.

Appended hereto as Exhibit 1 is a copy of the Application Transmittal to the Japanese Patent Office in connection with Company Receipt number 95-00749 along with an English translation. This document specifies not only the Company Receipt number 95-00749, which is at the top of one of the Assignment documents submitted with my Declaration of February 10, 1998, but also includes the Japanese application number 08-010463 and the filing date 08 1 24 (January 24, 1996) as well as the title "Semiconductor Device and IC Card Apparatus Using the Same" which is the title of that Japanese application.

Appended hereto as Exhibit 2 is a copy of an Official Receipt from the Japanese Patent Office, along with an English translation, giving the Japanese application numbers for three patent applications filed on 07 6 16 (June 16, 1995). The first application listed in that document has the Company Receipt number 95-00287 and the application number 7-150605 which is that of the other Japanese application relied upon for priority in this application. Exhibit 3 is the Application Transmittal form for that application which gives the filing date 07 6 16 and the title "Non-Contact Type IC Card and Information Communication System Using the Same".

The two Japanese applications referred to above are identified on the cover page of the PCT Publication No. WO 97/00493, which is the publication of the International

Application PCT/JP96/01662 upon which the present application is based. The PCT "Notification Concerning Submission of Priority Documents", which was also submitted with my Declaration dated February 10, 1998, states that the certified copies of the Japanese applications identified above were received as the Priority documents for the PCT application. Those Japanese applications are also identified in my Declaration signed February 10, 1998 as the two Japanese applications upon which the priority claim in this application is based.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such will false statements may jeopardize the validity of the application or any patent issued thereon.

Date: March : 3. 1999

Haruo Hagimori

Signature of Declarant

Haruo Hagimori, Senior Staff
Intellectual Property Dept.
Rohm Co., Ltd.